

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DELSIE ADAMS, *et al.*,

Plaintiffs,

v.

PFIZER, INC.,

Defendant.

Case No. 14-cv-138-JPG-DGW

MEMORANDUM AND ORDER

In light of Seventh Circuit Court of Appeals admonitions, *see Foster v. Hill*, 497 F.3d 695, 696-97 (7th Cir. 2007), the Court has undertaken a rigorous initial review of pleadings to ensure that jurisdiction has been properly pled. The Court has noted the following defects in the jurisdictional allegations of the Complaint (Doc. 2):

- **Failure to allege a basis for federal subject matter jurisdiction.** A pleading must contain “a short and plain statement of the grounds for the court’s jurisdiction.” Fed. R. Civ. P. 8(a)(1). The plaintiffs’ pleading lacks such a statement.
- **Failure to allege the citizenship of a corporation.** It appears the plaintiffs may intend to assert jurisdiction under some subsection of 28 U.S.C. § 1332. To determine whether jurisdiction exists under that statute, the Court must know the citizenship of the parties. A corporation is a citizen of both the state of its principal place of business and the state of its incorporation. 28 U.S.C. § 1332(c)(1). The relevant pleading must affirmatively allege the specific states of incorporation and principal place of business of a corporate party. The Complaint fails to allege the defendant’s citizenship.
- **Failure to allege the requisite amount in controversy.** Jurisdiction under 28 U.S.C. § 1332 further requires a minimum amount in controversy. The Complaint fails to allege the amount in controversy in this case.

The Court hereby **ORDERS** that the plaintiffs shall have up to and including February 21, 2014, to amend the faulty pleading to correct the jurisdictional defects. *See* 28 U.S.C. § 1653. Failure to amend the faulty pleading may result in dismissal of this case for lack of subject matter jurisdiction or for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

Amendment of the faulty pleading to reflect an adequate basis for subject matter jurisdiction will satisfy this order. The plaintiffs are directed to consult Local Rule 15.1 regarding amended pleadings and need not seek leave of Court to file such amended pleading.

IT IS SO ORDERED.

DATED: February 12, 2014

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE